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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,324	04/13/2004	Domenico Pezzaniti	030285 309241

CONFIRMATION NO. 5400

FORMALITIES LETTER



OC000000013045381

Pillsbury Winthrop LLP
Intellectual Property Group
Suite 200
11682 El Camino Real
San Diego, CA 92130-2092

Date Mailed: 06/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 1-8.

SUMMARY OF FEES DUE:

08/10/2004 AAD0F01 00000001 033975 10824324
01 FC:2001 385.00 DA
02 FC:2051 65.00 DA

Total additional fee(s) required for this application is **\$450** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

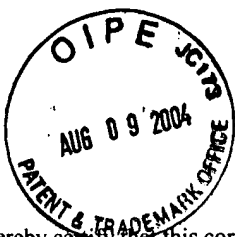
A copy of this notice MUST be returned with the reply.

A handwritten signature in black ink, appearing to be 'HCE', is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 4, 2004.

By: _____

Kim A. Cabello

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT
APPLICATION**COMPLETION Under**
Rule 53(f)In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): Domenico Pezzaniti and Alan Megargel a/k/a/ Ali Madjelisi

Appln. No.:

10

824,324

Atty.Dkt.

030285

309241

Series Code ↑

Serial No. ↑

C-M

Client Ref

Filed: April 13, 2004

Title: MARKETING METHOD

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: August 4, 2004

Sir:

The following **completes the filing** under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☒ Signed Declaration attached. ☒ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
- b. # pages of Specification(only spec. & claims)
- c. ☐ Drawing(s) _____
No of Sheets
- ☐ Fig(s). _____
4. ☒ Letter filing formal drawing attached.
5. ☒ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in _____

Application No.	Filing Date	Application No.	Filing Date
(1) 200302224-1	April 14, 2003	(2)	
(3)		(4)	

9. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____

10. Small Entity Status ☐ is Not claimed ☒ is claimed (file PAT-256 if this is the first claim of Small Entity Status)

11. ☒ Attached: Four (4) Sheets of Formal Drawings (Figures 1 - 8); and Return Postcard

12. ☐ Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY
CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE**

				Large/Small Entity		Fee Code
13. Basic Filing FeeDesign Application				\$340/\$170		1002/2002
Not Design Application				\$770/\$385	+385	1001/2001
14. Total Effective Claims	19	minus 20 =	0	x \$18/\$9	+0	1202/2202
15. Independent Claims	1	minus 3 =	0	x \$86/\$43	+0	1201/2201
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line <u>blank</u> if this is a <u>reissue</u> application)				\$290/\$145	+0	1203/2203
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+65	1051/2051
18.				FILING FEE =	\$450	
19. <u>Original due date:</u> August 23, 2004						
20. Petition is hereby made to extend the <u>original</u> due date to cover the date this response is filed for which the requisite fee is attached				(1 mo) \$110/\$55 = (2mos) \$420/\$210 = (3mos) \$950/\$475 = (4mos) \$1,480/\$740 = (5mos) \$2,010/\$1,005 =	+0	1251/2251 1252/2252 1253/2253 1254/2254 1255/2255
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee				\$130	+0	1053
22. If "assignment" box 5 is X'd, add recording fee.				\$40	+40	8021
23. Petition Fee for				\$130	+0	1808
24.				TOTAL FEE =	\$490	

Our Deposit Account No. 03-3975

Our Order No. 030285

C#

309241

M#

**PLEASE CHARGE
OUR DEP. ACCT.**

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient

- fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

11682 El Camino Real
Suite 200
San Diego, CA 92130-2092
Tel: (619) 234-5000
Atty/Sec: VJC/kac

By Atty: Victor J. Castellucci

Reg. No. 43,535

Sig: 

Fax: (858) 509-4010

Tel: (858) 509-4007

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments



Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail on August 4, 2004, in an envelope addressed to: Mail Stop Missing Parts, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: _____

Kim A. Cabello

Kim A. Cabello

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor(s): Domenico Pezzaniti and Alan Megargel

Appln. No.: 10 | 824,324

Series Code ↑

Serial No. ↑

Filed: April 13, 2004

Group Art Unit/TC: Unknown

Examiner: Unknown

Atty. Dkt. P

030285

309241

M#

Client Ref

Attention:

Title: MARKETING METHOD

FILING OF FORMAL DRAWING(S)

Date: August 4, 2004

Hon. Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

1. Please accept the herewith 4 sheet(s)

2. of formal drawing(s) on ☒ A4 ☐ 11" size paper

3. of Figure(s) 1 - 8

4. of which Figure(s) is/are **black and white photographic drawings** (**DO NOT** use this form for photographic drawings in **color** (see PAT-280).

5. ☒ which is/are in lieu of the informal drawing(s) filed earlier.

6. ☒ which include the corrections required/approved by the Draftsperson/Examiner in the
☒ Notice to File Missing Parts of or ☐ Notice of Allowability (PTO-37) dated
Nonprovisional Application dated June 23, 2004

NOTE

- A. PTO waived requirement for 3 sets of B/W photos June 9, 1998, 1211 OG 34;
B. PTO waived requirement for petition and petition fee for B/W photos August 4, 1998, 1213 OG 108.
C. Petition and fee are still required for photographs which are in color. See Rule 84(a)(2).

A,B,C were confirmed in 9/8/00 Rule 84 changes

**EXTENSIONS NOT AVAILABLE Re NOTICES OF
ALLOWABILITY ISSUED ON/AFTER 11/7/00**


		Large/Small Entity	Fee Code
7. Original due date: August 23, 2004		<input type="checkbox"/> NONE	
8. Petition is hereby made to extend the original due date to cover		(1 mo) \$110/\$55 =	115/215
The date this response is filed for which the requisite fee is charged		(2 mos) \$410/\$205 =	116/216
		(3 mos) \$930/\$465 =	117/217
9.		TOTAL FEE	\$0
(Our Deposit Account No. 50-2212)		PLEASE CHARGE OUR DEP. ACCT.	
(Our Order No. 030285 309241)			
		C#	M#

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

**Pillsbury Winthrop LLP
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Tel: (858) 509-4007

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